

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 8496

IN THE MATTER OF:

Served January 10, 2005

JOHN Y. NGWAFON, Trading as)
MUNGAI'S HEALTH TRANSPORTATION,)
Suspension and Investigation of)
Revocation of Certificate)
No. 863)

Case No. MP-2004-208

This matter is before the Commission on respondent's response to Order No. 8431, served November 24, 2004.

Under the Compact, a certificate of authority is not valid unless the holder is in compliance with the Commission's insurance requirements.¹ Commission Regulation No. 58 requires respondent to insure the revenue vehicles operated under Certificate No. 863 for a minimum of \$1.5 million in combined-single-limit liability coverage and maintain on file with the Commission at all times proof of coverage in the form of a WMATC Certificate of Insurance and Policy Endorsement (WMATC Insurance Endorsement) for each policy comprising the minimum.

Certificate No. 863 became invalid on November 24, 2004, when the \$1.5 million WMATC Insurance Endorsement on file for respondent terminated without replacement. Order No. 8431 noted the automatic suspension of Certificate No. 863 pursuant to Regulation No. 58-02, directed respondent to cease transporting passengers for hire under Certificate No. 863, and gave respondent thirty days to replace the expired endorsement or face revocation of Certificate No. 863. Respondent submitted a \$1.5 million replacement endorsement on December 7, 2004. The effective date of the new endorsement is December 1, 2004. This means that respondent was without insurance coverage for seven days, from November 24, 2004, through November 30, 2004.

Under Commission Rule No. 28, respondent is required to verify that it ceased transporting passengers for hire under Certificate No. 863 as commanded by Order No. 8431. We will give respondent thirty days to furnish proof that respondent ceased operations as of November 24, 2004. Inasmuch as respondent's only tariff is for service rendered to clients of the District of Columbia Department of

¹ Compact, tit. II, art. XIII, § 7(g).

Health, Medical Assistance Administration (DC Medicaid), such proof shall include confirmation from DC Medicaid.

IT IS SO ORDERED.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS YATES, MILLER, AND GUNS:

A handwritten signature in black ink, appearing to read 'W. S. Morrow, Jr.', written in a cursive style.

William S. Morrow, Jr.
Executive Director